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BY: Danay Hartman DATE: 4/17/98

PATENT

Box Non-Fee Amendment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Danamichele B. O'Brien	: Group Art Unit: 2761 : :
Appln. No.:	08/215,991	: Examiner: Robert Weinhardt : :
Filed:	March 22, 1994	: : :
For:	COMPUTER SYSTEM AND METHOD FOR DETERMINING A TRAVEL SCHEME MINIMIZING TRAVEL COSTS FOR AN ORGANIZATION	: Attorney Docket : No. 7165-27 : :

AMENDMENT

The following Amendment and Remarks are being submitted in response to the Office Action mailed January 21, 1998 (Paper No. 8) in connection with the above-identified application, and are being filed within the three-month shortened statutory period set for a response by the Office Action. Kindly amend the application, without prejudice, as follows:

In the Claims:

1. (Twice Amended) In a computer system having a data input device, a data storage device, and a processor, [and a data output device,] a method for determining a travel scheme for minimizing travel costs for an organization, where the organization expects to

purchase travel trips for a plurality of travelers for a plurality of predetermined travel links, each travel link comprising a travel origin and a travel destination, each travel link being served by at least one of a plurality of travel carriers, the method comprising the steps of:

obtaining travel information relating to the carriers and the links
via the data input device;

storing the travel information via the data storage device;

constructing an objective function from the travel information via
the processor, the objective function representing a travel cost to the organization to purchase
travel trips for the plurality of travelers for the plurality of predetermined links;

constructing a set of constraints from the travel information via the
processor, the constraints comprising restrictions relating to the objective function;

applying the constraints to the objective function via the processor
to determine a solution of the objective function that satisfies the constraints and that minimizes
the travel costs of the organization; and

[generating a report representative of the solution via the data
output device]

applying the solution as the travel scheme for minimizing travel
costs by purchasing travel trips in accordance with the solution.

18. (Amended) A method for determining a travel scheme for minimizing travel costs for an organization, where the organization expects to purchase travel trips for a plurality of travelers for a plurality of predetermined travel links, each travel link comprising a

travel origin and a travel destination, each travel link being served by at least one of a plurality of travel carriers, the method comprising the steps of:

obtaining travel information relating to the carriers and the links;

constructing an objective function from the travel information, the objective function representing a travel cost to the organization to purchase travel trips for the plurality of travelers for the plurality of predetermined links;

constructing a set of constraints from the travel information, the constraints comprising restrictions relating to the objective function;

applying the constraints to the objective function to determine a solution of the objective function that satisfies the constraints and that minimizes the travel costs of the organization; and

[generating a report representative of the solution]

applying the solution as the travel scheme for minimizing travel costs by purchasing travel trips in accordance with the solution.

35. (Amended) A computer system for determining a travel scheme for minimizing travel costs for an organization, where the organization expects to purchase travel trips for a plurality of travelers for a plurality of predetermined travel links, each travel link comprising a travel origin and a travel destination, each travel link being served by at least one of a plurality of travel carriers, the system comprising:

a data input device for receiving travel information relating to the carriers and the links;

a data storage device for storing the travel information received by the data input device;

a programmed processor for constructing an objective function from the travel information, the objective function representing a travel cost to the organization to purchase travel trips for the plurality of travelers for the plurality of predetermined links; and

a programmed processor for constructing a set of constraints from the travel information, the constraints comprising restrictions relating to the objective function;

the processor for applying the constraints to the objective function to determine a solution of the objective function that satisfies the constraints and that minimizes the travel costs the organization; [and

a data output device for generating a report representative of the solution]

the solution for being applied as the travel scheme for minimizing travel costs by purchasing travel trips in accordance with the solution.

54. (Twice Amended) A method for determining an optimum travel scheme for minimizing travel costs for traveling a plurality of travel links being served by a plurality of travel carriers by selectively allocating travel trips on each link to the carriers serving the link, comprising the steps of:

(a) determining travel information representative of the links and the carriers serving the links;

(b) determining constraints on allocating the trips to the carriers;

- (c) prospectively allocating the trips among the carriers in accordance with the travel information and the constraints to provide a travel scheme;
- (d) determining a cost of the travel scheme of step (c);
- (e) ascertaining whether any of the travel information or constraints have changed;
- (f) if any of the travel information or constraints have changed, then repeating steps (c), (d), and (e) until the optimum travel scheme minimizing the travel costs in accordance with the travel information and the constraints is determined; and
- (g) [generating a report representative of the optimum travel scheme]
applying the optimum travel scheme to minimize travel costs by purchasing travel trips in accordance with such optimum travel scheme.

REMARKS

Claims 1-70 are pending in the present application. Independent claims 1, 18, 35 and 54 have been amended. Applicant respectfully submits that no new matter has been added to the application by the Amendment.

The Examiner has rejected claims 1-70 under 35 U.S.C. §101 for the reason that the claimed invention is directed to non-statutory subject matter. Applicant respectfully traverses the §101 rejection insofar as it may be applied to the claims, as amended.

According to the Examiner, the system claims (independent claims 1 and 35 and all claims depending therefrom) must be considered on the basis of the underlying processes recited therein. Further, the Examiner states that a claimed computer-related process must either

result in a physical transformation outside a computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artist; or be limited by the language in the claim to a practical application within the technological arts. According to the Examiner, no practical application within the technological arts appears in the claim language. For example, the Examiner continues, the recited solution is not applied, as no purchasing or booking of trips in the travel scheme of the solution occurs.

Accordingly, Applicants have amended each of the independent claims to variously recite that the solution is applied as the travel scheme for minimizing travel costs by purchasing travel trips in accordance with such solution. Thus, the claims are now limited to a practical application within the technological arts. As a result, Applicant respectfully submits that independent claims 1, 18, 35, and 54, and all claims depending therefrom, are now statutory. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §101 rejection.

There being no other matters outstanding, Applicant respectfully submits that the present application, including claims 1-70, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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17 Apr. 1998
(Date)

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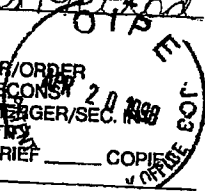
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OF: Danachelle B. O'Brien

FOR: Computer System and Method

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| TRADEMARK APPLICATION | COVER SHEET/LETTER/ORDER |
| Specimens | AMENDMENT REQ. RECONS |
| RENEWAL/AFF 8/AFF 8 & 15 | ASSIGN/CHG NAME/MERGER/SEC. |
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| Dec & Power of Atty | NOTICE OF APPEAL/BRIEF |
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| Preliminary Amendment | SUPPL DECL |
| Claims | INF. DISCL. STATEMENT |
| Sheets Drawings | PRIORITY DOC. |
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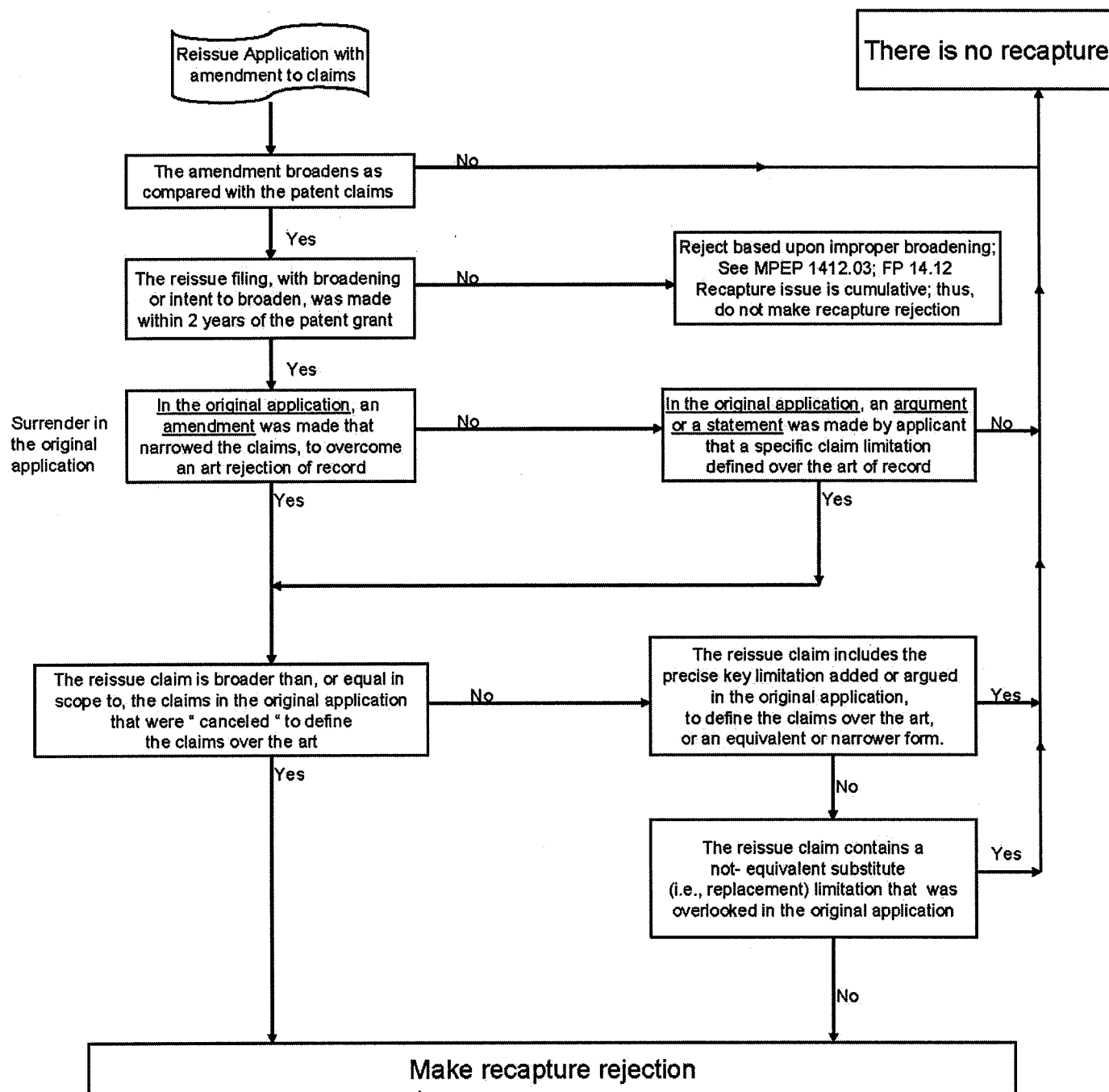


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OTHER (PAPER TITLE) _____

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